

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

RICHARD JORDAN and RICKY CHASE,

Plaintiffs,

THOMAS EDWIN LODEN, Jr.,

ROGER THORSON, and

ROBERT SIMON,

Intervenors,

v.

Civil Action No. 3:15-cv-00295

**PELICIA HALL, Commissioner,
Mississippi Department of Corrections, in
her Official Capacity, et al.**

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION
FOR CONTINUANCE OF TRIAL SETTING**

PLAINTIFFS, Richard Jordan and Ricky Chase, by and through their counsel of record, seek a continuance of the current trial date of August 27, 2018, until after the United States Supreme Court issues its decision in Bucklew v. Precythe, No. 17-8151, in which the Supreme Court added an additional Question Presented: “whether petitioner met his burden under Glossip v. Gross, 576 U.S. ____ (2015), to prove what procedures would be used to administer his proposed alternative method of execution, the severity and duration of pain likely to be produced, and how they compare to the State’s method of execution.” **Defendants do not oppose the relief sought in this Motion.** All Intervenors join in this Motion.

Plaintiffs believe that it would be a waste of judicial resources to conduct the trial of this case prior to receiving the guidance of the Supreme Court regarding one of the most heavily contested issues that the Court will be required to decide, namely what constitutes the requisite showing that an alternative is known, available, and will reduce the risks posed by an intended method of execution.

For the reasons set forth in more detail in the memorandum in support of this Motion, Plaintiffs request that this Court enter its Order continuing the current trial date.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that this Court continue the August 27, 2018 trial setting for a date to be determined by this Court after the Supreme Court releases its ruling in Bucklew.

Respectfully submitted,

/s/ James W. Craig

James W. Craig, MSB # 7798

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Dated: July 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that I have filed this pleading with the Electronic Case Filing System of the United States District Court for the Southern District of Mississippi and have thereby served all counsel of record for the Defendants and Intervenors in this case.

This, the 12th day of July, 2018.

/s/James W. Craig